



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/615,182	07/13/2000	J. Peter Hansen	MSFT115463	3713

26389 7590 03/04/2005

CHRISTENSEN, O'CONNOR, JOHNSON, KINDNESS, PLLC
1420 FIFTH AVENUE
SUITE 2800
SEATTLE, WA 98101-2347

EXAMINER

WOO, ISAAC M

ART UNIT PAPER NUMBER

2162

DATE MAILED: 03/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/615,182

Applicant(s)

HANSEN ET AL.

Examiner

Isaac M Woo

Art Unit

2162

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 November 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 and 32-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 and 32-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to Applicant's Election in response to the Election/Restriction requirement set forth in the October 06, 2004, filed on November 08, 2004.
2. Applicant elected Group I, claims 1-15. Claims 16-31 are canceled. Claims 32-36 are newly added. Pending claims are 1-15 and 32-36.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
4. Claims 1-15 and 32-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mahajan et al (U.S. Patent No. 6,226,650, hereinafter, "Mahajan") in view of Salkewicz et al (U.S. Patent No. 5,970,502, hereinafter, "Salkewicz").

With respect to claims 1 and 8, Mahajan discloses, selectively downloading data objects (105, modification files, updated or modification file from server database, col. 3, lines 1-9) stored in the server computer database (15D, fig. 2) to the client computer

database (15C, fig. 2), if the client computer database last server access time indicates a time that is not earlier than a time indicated by the creation time of the server computer database, see (512, transmit the updated files to the client, fig. 2, the server database on initialized state); in response to receiving a user-generated command, configuring the database either for storage on the client computer or for storage on both the client computer and the server computer, see (col. 6, lines 1-22, col. 2, lines 6-54, the database management system 100, fig. 2, performs database management configuration, e.g., delete, copy, etc); deleting the server computer database if the server computer contains a database and if the user-generated command dictates that the server computer database be deleted, see (col. 6, lines 1-45, col. 2, lines 6-54); and copying the client computer database to the server computer, if the user-generated command dictates that the client computer database be copied to the server computer, see (col. 6, lines 1-22, col. 2, lines 6-54). Manhajan does not explicitly disclose, downloading the server computer database to the client computer, if the client computer database last server access time indicates a time that is earlier than a time indicated by the creation time of the server computer database. However, Salkewicz discloses, "During the synchronization process, one or more servers may participate in synchronizing the new server's database. In the example of FIG. 1, servers 10 and 14 are directly connected to server 12, and either or both of the servers may control the synchronization of server 12. Similar synchronization procedures are followed whenever a new server is added to an existing network. In this case, the new server will require a complete copy of the database from an existing server", see (col. 4, lines 20-29, fig. 1).

This teaches that new server (when it receives data from others, it becomes client database) database creation time is later than last access time (synchronization time)), then downloading whole database for the other server database. Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention was made to modify Manhajan by incorporating downloading the server computer database to the client computer, if the client computer database last server access time indicates a time that is earlier than a time indicated by the creation time of the server computer database with the system of Salkewicz. Thus, one having ordinary skill in the art at the time the invention was made would have found it motivated to use such a modification because that would provide Salkewicz's system the whole database synchronizing between client and server database.

With respect to claims 2 and 9, Manhajan discloses, the updating the last server access time stored in the client computer database, wherein the updated last server access time corresponds to a clock time maintained by the server computer, see (col. 1, lines 38-54).

With respect to claims 3 and 10, Manhajan discloses, the transmitting, from the client computer to the server computer, the last server access time stored on the client computer database, see (col. 1, lines 38-54).

Claims 4 and 11, are rejected on grounds corresponding to the reasons given above claimed in claim 1.

With respect to claims 5 and 12-13, Manhajan discloses, the determining if the client computer database last server access time is within a predetermined period of time ninety days from a clock time maintained by the server computer; and downloading the server computer database to the client computer, if the client computer database last server access time is not within a predetermined period of time from a clock time maintained by the server computer, see (col. 2, lines 6-27, col. 6, lines 1-22,).

With respect claims 6 and 7, Manhajan discloses, the limitation of computer-readable medium containing computer-readable instructions which, when executed by a computer, perform the method of any one of Claims 1-5 for claim 6 and the limitation of computer-controlled apparatus for performing the method of any one of Claims 1-5 for claim 7 above claimed in 1-5. Thus, claims 6 and 7 are rejected for the reason set forth above claimed in claims 1-5.

With respect claims 14 and 15, Manhajan discloses, the limitation of computer-readable medium containing computer-readable instructions which, when executed by a computer, perform the method of any one of Claims 8-13 for claim 14 and the limitation of computer-controlled apparatus for performing the method of any

one of Claims 8-13 for claim 15 above claimed in 8-13. Thus, claims 14 and 15 are rejected for the reason set forth above claimed in claims 8-13.

With respect to claim 32, Manhajan discloses, client computer database if data objects have not been transmitted to the client computer system within a predetermined time period and if the server computer contains the database, see (col. 8, lines 35-67).

With respect to claim 33, Manhajan discloses, the server computer communicates with the client computer using a Web server application, see (col. 3, lines 44-67).

With respect to claim 34, Manhajan discloses, data objects are configured to store any data that is capable of being stored in the database, see (col. 3, lines 44-67).

With respect to claim 35, Manhajan discloses, if the client computer database does not contain a last server access time, determining that the client computer database was not initialized, see (col. 6, lines 1-65).

With respect to claim 36, Manhajan discloses, synchronizing the duplicated database suitable for storage on both the server computer and the client computer occurs automatically based on user defined settings, see (col. 5, lines 28-67 to col. 6, lines 1-65).


Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isaac M Woo whose telephone number is (571) 272-4043. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

IMW
February 8, 2005


JEAN M. CORRIELUS
PRIMARY EXAMINER